

EDMONDS CITY COUNCIL APPROVED MINUTES

March 1, 2005

Following a Special Meeting at 6:50 p.m. to interview candidates for the Sister City Commission and Architectural Design Board, the Edmonds City Council meeting was called to order at 7:00 p.m. by Mayor Haakenson in the Council Chambers, 250 5th Avenue North, Edmonds. The meeting was opened with the flag salute.

ELECTED OFFICIALS PRESENT

Gary Haakenson, Mayor
Richard Marin, Council President
Michael Plunkett, Councilmember
Jeff Wilson, Councilmember
Mauri Moore, Councilmember
Peggy Pritchard Olson, Councilmember
Dave Orvis, Councilmember
Deanna Dawson, Councilmember

ALSO PRESENT

Bryan Huntzberger, Student Representative

STAFF PRESENT

David Stern, Chief of Police
Duane Bowman, Development Services Director
Stephen Clifton, Community Services Director
Brian McIntosh, Parks & Recreation Director
Jennifer Gerend, Economic Development Dir.
Rob Chave, Planning Manager
Dave Gebert, City Engineer
Scott Snyder, City Attorney
Sandy Chase, City Clerk
Jana Spellman, Senior Executive Council Asst.
Jeannie Dines, Recorder

1. APPROVAL OF AGENDA

Change to
Agenda

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER DAWSON, TO ADD "APPROVAL OF THE SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF EDMONDS AND GOLDR ASSOCIATES, INC." AS CONSENT AGENDA ITEM I. MOTION CARRIED UNANIMOUSLY.

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER MOORE, FOR APPROVAL OF THE AGENDA AS AMENDED. MOTION CARRIED UNANIMOUSLY.

2. CONSENT AGENDA ITEMS

Council President Marin requested Items E, G and H be removed from the Consent Agenda.

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER MOORE, FOR APPROVAL OF THE REMAINING CONSENT AGENDA ITEMS. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:

- (A) **ROLL CALL**
- (B) **APPROVAL OF CITY COUNCIL MEETING MINUTES OF FEBRUARY 22, 2005.**
- (C) **APPROVAL OF CLAIM CHECKS #77582 THROUGH #77690 FOR THE WEEK OF FEBRUARY 21, 2005, IN THE AMOUNT OF \$526,940.08.**
- (D) **ACKNOWLEDGE RECEIPT OF CLAIMS FOR DAMAGES FROM DWAYNE ERIC GRUNDY (\$5,000.00), AND ANN P. CORDONI (AMOUNT UNDETERMINED).**
- (F) **APPROVAL OF 2005 TAXI LICENSE FOR YELLOW CAB.**

Approve
2/22/05
Minutes

Approve
Claim Checks

Claims for
Damages

Approve Taxi
License for
Yellow Cab

- (I) **APPROVAL OF THE SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF EDMONDS AND GOLDER ASSOCIATES, INC.**

Item E: Confirmation of Mayor's appointment of Karen Towey to the Sister City Commission, and Valerie Kendall to the Architectural Design Board.

Council President Marin described Ms. Towey's background serving as chaperone, host family and volunteer art instructor for the Sister City Commission and welcomed her as a Sister City Commissioner.

Council President Marin welcomed Ms. Kendall to the Architectural Design Board, describing her background as a housing developer for a non-profit corporation, Downtown Action to Save Housing (DASH), and her assistance with providing 859 affordable housing units and 200 more in various stages of development.

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER WILSON, FOR APPROVAL OF ITEM E. MOTION CARRIED UNANIMOUSLY. The item approved is as follows:

- (E) **CONFIRMATION OF MAYOR'S APPOINTMENT OF KAREN TOWEY TO THE SISTER CITY COMMISSION, AND VALERIE KENDALL TO THE ARCHITECTURAL DESIGN BOARD.**

Item G: Authorization to call for bids for the 2005 Senior Center Elevator Rehabilitation Project.

Council President Marin advised of his intent to abstain from the vote as he serves on the Advisory Board who will be voting on this project at the County level.

COUNCILMEMBER WILSON MOVED, SECONDED BY COUNCILMEMBER ORVIS, FOR APPROVAL OF ITEM G. MOTION CARRIED (6-0-1), COUNCIL PRESIDENT MARIN ABSTAINED. The item approved is as follows:

- (G) **AUTHORIZATION TO CALL FOR BIDS FOR THE 2005 SENIOR CENTER ELEVATOR REHABILITATION PROJECT.**

Item H: Accepting the donation of a vehicle from Campbell Nelson Inc. for use by Edmonds Police Department Crime Prevention.

Mayor Haakenson recognized Campbell Nelson Volkswagen Nissan for their contributions to the community including assisting with National Night Out last summer. He advised Campbell Nelson has now offered the use of a 2005 Nissan Altima, valued at \$15,000, to the Crime Prevention Officer free of charge in an effort to help the local community efforts to combat the existence of crime in Edmonds. He reiterated his appreciation to Campbell Nelson for their support.

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER WILSON, FOR APPROVAL OF ITEM H. MOTION CARRIED UNANIMOUSLY. The item approved is as follows:

- (H) **ACCEPTING THE DONATION OF A VEHICLE FROM CAMPBELL NELSON INC. FOR USE BY EDMONDS POLICE DEPARTMENT CRIME PREVENTION.**

3. PROCLAMATION IN HONOR OF EDMONDS SCHOOL DISTRICT EXCELLENCE IN MUSIC DAY, MARCH 11, 2005

Mayor Haakenson read a Proclamation recognizing March 1, 2005 as Edmonds School District Excellence in Music Day.

4. **ANNUAL REPORT OF THE EDMONDS SISTER CITY COMMISSION**

Bryan Bechler, Chair, Sister City Commission, introduced Commissioners in the audience including Shiva Riddell, Jeanne Mazzoni, Rita Bailey, and Vera Papageorgiou, and Iyoko Okana.

Mr. Bechler explained the Commission continued to provide cultural exchange opportunities that have fostered understanding and friendship between Edmonds and Hekinian for the past 16 years. The Commission's mission is "to promote international communication and understanding through exchanges of people, ideas and culture."

Mr. Bechler described the cooperative student art project facilitated by Karen Towey and created in the summer of 2004 by 35 students and two chaperones, each completing a layered mosaic work that were later puzzled together to form a cubist inspired pastel painting of the Iris, the city flower of Hekinian.

Mr. Bechler described the 15 student and two chaperone delegation that traveled to Hekinian in January 2004 and the activities they enjoyed while in Hekinian. He described the newsletter produced by one of the commissioners, Jim Corbett, who also updated the membership database to eliminate duplications in their mailings. He described membership changes over the past year including the departure of Commissioners JoLynn Summy and Manoj Joseph and the appointment of Rita Bailey and Jeanne Mazzoni.

Mr. Bechler described the 15 student and two chaperone delegation that visited Edmonds from Hekinian in August 2004 and the activities they enjoyed during their visit including tours of Edmonds and Seattle, Stevens Hospital, Edmonds High School, Pike Place Market, Edmonds Day Camp and the Museum of Flight; a Mariners game; a ferry ride; and a beach BBQ. He described a 25-member adult delegation that included artists and Hekinian City and Hekinian Sister City officials that visited Edmonds in late October 2004. The focus of this visit was to showcase the arts of traditional music and dance as well as the significant dedication of the Friendship Tree at the waterfront. He reported on the dedication of the Friendship Tree on October 29, an artwork created by Steven Jensen who also created and dedicated the CRANE sculpture at Hekinian City Hall in 2001.

Mr. Bechler advised Assistant English Teacher Caryn Fisher completed a successful 3year term in Hekinian and was replaced by Dana Strasser and her family who will work with Eric Anderson whose contract expires in August 2006. Mr. Bechler reported on his attendance at a reception at the home of the Consul General to celebrate the birthday of the emperor of Japan.

Mr. Bechler reported planning was underway for 2005 with new highlights being an April delegation to Hekinian lead by the Mayor and the Commission's participation in the Sister Cities International 50th anniversary and conference in Spokane in July. He extended the Commission's appreciation to Mayor Haakenson, the City Council, the Edmonds Arts Commission and all City Departments for their continued support of the Sister City Commission's programs and activities.

Mayor Haakenson extended his appreciation to the Sister City Commission for everything they do.

5. **AUTHORIZATION TO CALL FOR BIDS FOR THE 220TH STREET SW IMPROVEMENTS (NINTH AVENUE SOUTH TO 84TH AVENUE WEST) PROJECT.**

Traffic Engineer Darrell Smith explained the design for the 220th Street SW improvement project is complete and ready for construction. The roadway will be in primarily the same location, however, there will be significant improvements throughout the corridor such as sidewalks and bike lanes on both sides of the street, a traffic signal at 9th & 84th Avenue, left turn pockets at key intersections such as 9th, 96th,

95th and 84th Avenues, the roadway lowered near the 92nd Avenue corridor to improve sight distances, lighted pedestrian crossing at 95th Avenue, permanent radar speed signs installed near the school zone, and stormwater improvements.

Mr. Smith explained traffic control for the project will focus on keeping 220th open to local traffic only so that residents on or near the street will be able to travel through the corridor; residents living outside that corridor will be encouraged to use alternative routes such as the 84th Avenue corridor and Bowdoin. He explained full closures along 220th would be required at times, primarily due to the installation of large underground stormwater detention devices. He advised of plans to advertise the project in spring 2005, begin construction late spring and complete the project by December.

Next, Mr. Smith reviewed budgetary constraints associated with the project. He estimated project cost at \$4.6 million and available funding totals approximately \$4 million via grants, loans, funds from the transportation program and utilities. He noted there is currently a funding shortfall of approximately \$600,000. He referred to a list of several transportation funding options in the packet to address the shortfall. He reviewed reasons for the cost increases including the addition of a signal at 9th Avenue as a result of a value engineering study required by the Transportation Improvement Board, utility upgrades and disability ramps per new federal regulations, and increases in material costs such as steel and concrete as well as increases in fuel.

Mr. Smith recommended authorizing staff to advertise the project, report the bids to the Council and then assess the most appropriate source for additional funds.

Hearing no questions, Mayor Haakenson remanded the matter to Council for action.

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER MOORE, TO AUTHORIZE STAFF TO ADVERTISE FOR BIDS ON THE 220TH STREET SW IMPROVEMENT PROJECT. MOTION CARRIED UNANIMOUSLY.

Amendments
to the Edmonds
Comprehensive
Plan

6. **CONTINUED COUNCIL DELIBERATION ON THE PUBLIC HEARING HELD ON FEBRUARY 15, 2005, REGARDING AMENDMENTS TO THE EDMONDS COMPREHENSIVE PLAN CONCERNING THE DOWNTOWN WATERFRONT ACTIVITY CENTER (INCLUDING AMENDMENTS TO THE DOWNTOWN WATERFRONT PLAN). THE PROPOSAL WOULD ESTABLISH NEW "DISTRICTS" WITHIN THE DOWNTOWN AREA AND DESCRIBE THE USES AND DESIGN STANDARDS (INCLUDING HEIGHT AND SETBACKS) THAT WOULD APPLY; THIS INCLUDES A PROPOSED NEW HEIGHT LIMIT OF 33 FEET IN MOST DOWNTOWN COMMERCIAL AREAS TO ACCOMMODATE A NEW 12-FOOT FIRST FLOOR STANDARD.**

Mayor Haakenson recalled a motion was made and seconded at last week's Council meeting to approve the Comprehensive Plan and the Council was now in deliberation including amendments to the motion.

AMENDMENT NO. 1 TO THE MAIN MOTION

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER PLUNKETT, TO ADD ON PAGE 25, UNDER "DOWNTOWN WATERFRONT ACTIVITY CENTER," SECTION A, FOURTH BULLET, A NEW SENTENCE, "PUBLIC PEDESTRIAN/BICYCLE ACCESS ACROSS THE RAILROAD TRACKS TO THE WATERFRONT, IN THE VICINITY OF THE SOUTH END OF THE MARINA, NEAR MARINA BEACH PARK, SHOULD REMAIN A HIGH PRIORITY."

VOTE ON AMENDMENT NO. 1 TO THE MAIN MOTION

MOTION CARRIED UNANIMOUSLY.

AMENDMENT NO. 2 TO THE MAIN MOTION

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER ORVIS, TO ADD ON PAGE 49, UNDER “MASTER PLANNED DEVELOPMENT,” A NEW ITEM “F,” “*THE EDMONDS CROSSING PROJECT AS IDENTIFIED IN THE FINAL EIS FOR EDMONDS CROSSING ISSUED ON NOVEMBER 10, 2004.*”

VOTE ON AMENDMENT NO. 2 TO THE MAIN MOTION

MOTION CARRIED UNANIMOUSLY.

AMENDMENT NO. 3 TO THE MAIN MOTION

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER MOORE, TO CHANGE ALL REFERENCES TO FIRST FLOOR CEILING HEIGHTS IN THE DOWNTOWN WATERFRONT DISTRICTS TO READ “*TO ENCOURAGE A VIBRANT DOWNTOWN, FIRST FLOOR SPACES SHOULD BE DESIGNED WITH ADEQUATE HEIGHT TO ACCOMMODATE A RANGE OF RETAIL USES.*”

Council President Marin was agreeable to a friendly amendment suggested by Councilmember Wilson to change “retail” to “commercial”

COUNCILMEMBER ORVIS MOVED, SECONDED BY COUNCILMEMBER PLUNKETT, TO SUSPEND THE RULES TO ALLOW COUNCIL TO ASK QUESTIONS OF STAFF. MOTION CARRIED UNANIMOUSLY.

Observing this seemed like a benign paragraph, Councilmember Plunkett asked staff to comment on the proposed amendment. Planning Manager Rob Chave answered he did not see a problem with the amendment and that it seems to be consistent with the intent.

Mayor Haakenson read the revised motion:

TO CHANGE ALL REFERENCES TO FIRST FLOOR CEILING HEIGHTS IN THE DOWNTOWN WATERFRONT DISTRICTS TO READ “*TO ENCOURAGE A VIBRANT DOWNTOWN, FIRST FLOOR SPACES SHOULD BE DESIGNED WITH ADEQUATE HEIGHT TO ACCOMMODATE A RANGE OF COMMERCIAL USES.*”

VOTE ON AMENDMENT NO. 3 TO THE MAIN MOTION

MOTION CARRIED UNANIMOUSLY.

AMENDMENT NO. 4 TO THE MAIN MOTION

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER PRITCHARD OLSEN, TO CHANGE THE ZONING MAP TO ALLOW THE PROPERTY ON THE NORTH SIDE OF DAYTON STREET EAST OF 6TH TO BE DESIGNATED MIXED RESIDENTIAL.

Council President Marin explained this was the property where the American Legion Hall is located, a structure that will need to be replaced in the next couple years. Under the current regulations, the building would be required to provide commercial use on the first floor which their investigation revealed was not appropriate due to limited foot traffic in that area.

Mr. Snyder suggested changing “zoning map” to “Comprehensive Plan map.” He also pointed out this was the first time this issue had come up and it had not been through the Planning Board process or previously advertised. He suggested rather than making the change at this time, it be referred to the 2005-2006 Comprehensive Plan amendment process.

COUNCIL PRESIDENT MARIN WITHDREW HIS MOTION.

AMENDMENT NO. 4 TO THE MAIN MOTION

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER OLSON, TO REFER THIS ISSUE (CHANGE THE ZONING MAP TO ALLOW THE PROPERTY ON THE

NORTH SIDE OF DAYTON STREET EAST OF 6TH TO BE DESIGNATED MIXED RESIDENTIAL) TO THE 2005-2006 COMPREHENSIVE PLAN AMENDMENT PROCESS.

Councilmember Plunkett expressed concern with referring a decision on one parcel versus the overall Comprehensive Plan. Mr. Snyder explained the impact would be to spare the applicant the fee of applying and this would be a Council-initiated action. He assured a vote to refer would imply no future decision. He noted although he referred to the upcoming Comprehensive Plan process as 2005-2006, technically decisions are to be made by December 2005, Edmonds as well as other cities have a tendency to extend approval beyond that date.

Councilmember Wilson spoke in favor of referring this matter to the Planning Board for consideration.

VOTE ON AMENDMENT NO. 4 TO THE MAIN MOTION
MOTION CARRIED UNANIMOUSLY.

AMENDMENT NO. 5 TO THE MAIN MOTION

COUNCILMEMBER MOORE MOVED, SECONDED BY COUNCIL PRESIDENT MARIN, TO CLARIFY LANGUAGE REGARDING THE OFFICE/RESIDENTIAL ZONING AS FOLLOWS: *“PLANNED RESIDENTIAL-OFFICE: SEVERAL PROPERTIES LIE ALONG THE RAILROAD ON THE WEST SIDE OF SUNSET AVENUE BETWEEN EXISTING COMMERCIAL ZONING AND EDMONDS STREET. THIS AREA IS APPROPRIATE FOR MASTER PLANNED DEVELOPMENT WHICH PROVIDES FOR A MIX OF SMALL-SCALE OFFICE AND RESIDENTIAL USES WHICH PROVIDE A TRANSITION FROM THE MORE INTENSIVE COMMERCIAL USES ALONG MAIN STREET AND THE RESIDENTIAL USES ALONG SUNSET AVENUE. ANY PLANNED USE OF THESE PROPERTIES SHOULD BE THE SUBJECT OF HEIGHT AND BULK LIMITATIONS THAT WILL PROVIDE COMPATIBILITY TO SURROUNDING USES. HEIGHT IS LIMITED TO NO MORE THAN 25 FEET PLUS 5 FOR ROOF AND/OR BUILDING MODULATION ABOVE THE AVERAGE STREET/SIDEWALK LEVEL.”*

Councilmember Dawson recalled this was considered and rejected by the Planning Board because this is more of a residential neighborhood. She expressed concern with allowing 25 feet above the street plus another 5 which was not even considered by the Planning Board. She pointed out the decision by the Planning Board was well thought out and when they considered the potential for this height, they also discussed additional setbacks, etc. She was unable to support the motion, finding the language in the proposed Comprehensive Plan as recommended by the Planning Board more appropriate.

Councilmember Plunkett expressed concern with measuring the height from the average street/sidewalk level, finding this would vary too much from the residential scheme. He was unable to support the motion.

Councilmember Orvis indicated he would also vote against the motion for the reasons previously stated.

Councilmember Wilson supported recognizing the uniqueness of the topography and the bluff via the Comprehensive Plan process rather than the variance process. While the Planning Board may have discussed this parcel, he noted the importance of considering the situation, facts and characteristics and determining the appropriate land use classification for this area in the Comprehensive Plan rather than on a piecemeal basis via a variance application or a rezone as has been attempted in the past.

VOTE ON AMENDMENT NO. 5 TO THE MAIN MOTION

UPON ROLL CALL, MOTION CARRIED (4-3) COUNCIL PRESIDENT MARIN AND COUNCILMEMBERS MOORE, OLSON, AND WILSON IN FAVOR; COUNCILMEMBERS PLUNKETT, ORVIS AND DAWSON OPPOSED.

AMENDMENT NO. 6 TO THE MAIN MOTION

COUNCILMEMBER PLUNKETT MOVED, SECONDED BY COUNCILMEMBER DAWSON, TO APPROVE THE EIGHT AMENDMENTS RELATED TO HISTORIC PRESERVATION LISTED IN EXHIBIT 4.

VOTE ON AMENDMENT NO. 6 TO THE MAIN MOTION

MOTION CARRIED UNANIMOUSLY.

Councilmember Plunkett referred to additional amendments distributed to the Council, explaining H3.3 regarding building form, stated that consideration should be given to the concept of allowing architectural reproductions of historically significant buildings that have been lost in Edmonds. He inquired why staff recommended this amendment not be approved at this time. Mr. Chave agreed with the recommendation in Mr. Snyder's memo that although this amendment may have merit, it had not been through the public hearing process and was beyond the scope of what was considered in the Comprehensive Plan. He recommended referring it to the 2005-2006 Comprehensive Plan process.

AMENDMENT NO. 7 TO THE MAIN MOTION

COUNCILMEMBER PLUNKETT MOVED, SECONDED BY COUNCILMEMBER MOORE, TO REFER PROPOSED AMENDMENT H3.3 TO THE 2005-2006 COMPREHENSIVE PLAN AMENDMENT PROCESS.

VOTE ON AMENDMENT NO. 7 TO THE MAIN MOTION

MOTION CARRIED UNANIMOUSLY.

Councilmember Plunkett explained Amendment H3.4 was intended to create a Historic Preservation Section similar to the Arts Section, noting both were cultural goals of the City and both should be allowed in the Comprehensive Plan. He inquired why staff did not support the amendment to add a section regarding Historic Preservation. Mr. Chave answered the issue was the same as discussed for proposed amendment H3.3; although it may have merit, it needed to be considered in the public process to ensure the language was appropriate. He noted another option would be to consider it as part of the Design Guidelines.

AMENDMENT NO. 8 TO THE MAIN MOTION

COUNCILMEMBER PLUNKETT MOVED, SECONDED BY COUNCIL PRESIDENT MARIN, TO REFER PROPOSED AMENDMENT H3.4 TO THE 2005-2006 COMPREHENSIVE PLAN AMENDMENT PROCESS.

VOTE ON AMENDMENT NO. 8 TO THE MAIN MOTION

MOTION CARRIED UNANIMOUSLY.

Councilmember Orvis proposed an amendment regarding ground floor residential, explaining the current code language states "when the rear of a property adjoins a residentially-designated property, floor area that is beyond 90 feet from the commercial street frontage can be used for residential use." Due to his concern that 90 feet may be too large, he proposed new language, "floor area behind commercial can be used for residential use, provided that the commercial space has sufficient depth." He explained his intent was when the Planning Board crafted ordinances to implement this policy, he wanted to allow them to expand the scope of ground floor residential to include all the properties in the Mixed Use Commercial and Convenience Commercial zones, not just those adjoining residential, as well as allow the Planning Board to consider a full range of depths.

Councilmember Orvis displayed several slides to illustrate the importance of depth, explaining if depths were too small, the result was insufficient space for retail and other commercial uses. If depths were too large, businesses must lease more space than they needed in order to maintain a wide storefront, thereby

driving up their costs. He provided examples of the width of an 1800 square foot business with a 60-foot depth, 90-foot depth and 120-foot depth, explaining that as the depth increased, the width of the business decreased.

Councilmember Orvis explained when he calculated the width/storefront for the businesses cited in the Heartland Study for a 60-foot depth versus a 90-foot depth, the businesses in the 60-foot range have approximately 20 feet of storefront; businesses with a 90-foot depth have only 15 feet of storefront. He summarized 90 feet was too deep and required businesses to be narrow in order to afford the space. He illustrated 30, 60 and 90-foot depths from the sidewalk overlaid on an aerial photograph of Main Street, concluding many businesses fit within the 60-foot depth.

Councilmember Orvis provided an example of a 25-foot building using the current codes, identifying areas that would be residential, commercial and parking, pointing out there was very little commercial area. He provided another example of a 25-foot building where by allowing ground floor residential, the residential area could be significantly increased and with the additional revenue, make underground parking more affordable as well as provide more retail space. He identified existing businesses square footages that could be accommodated with a 60-foot depth on a lot that was 120 feet deep. He pointed out ground floor residential also encouraged renovation as parking was grandfathered for existing buildings that converted the rear of their buildings or unused retail space into residential. He concluded he found 60 feet preferable to 90 feet but was not asking the Council to make that decision; via this amendment, the actual depth would be determined by the Planning Board.

Councilmember Plunkett asked whether there was sufficient record to make this amendment. Mr. Chave answered the Planning Board put placeholders in the district discussions because the Council previously found that a reasonable approach. He referred to areas in the draft Comprehensive Plan where the Planning Board indicated floor area beyond 90 feet from the commercial street frontage could be used for residential use.

PROPOSED AMENDMENT TO THE MAIN MOTION

COUNCILMEMBER ORVIS MOVED, SECONDED BY COUNCILMEMBER PLUNKETT, TO AMEND THE LANGUAGE “WHEN THE REAR OF A PROPERTY ADJOINS A RESIDENTIALLY-DESIGNATED PROPERTY, FLOOR AREA THAT IS BEYOND 90 FEET FROM THE COMMERCIAL STREET FRONTAGE CAN BE USED FOR RESIDENTIAL USE” TO “FLOOR AREA BEHIND COMMERCIAL CAN BE USED FOR RESIDENTIAL USE, PROVIDED THAT THE COMMERCIAL SPACE HAS SUFFICIENT DEPTH.”

Council President Marin suggested adding “in the Mixed Use Commercial and Convenience Commercial zones only.” Mr. Chave pointed out the language occurred in those two zones.

Due to her concern with the lack of frontage on areas that were currently residential, Councilmember Dawson indicated she could not support the motion absent the language regarding when the rear of a property adjoins a residentially designated property.

At Councilmember Moore’s request, Economic Development Director Jennifer Gerend commented on the amendment, explaining when a commercial use was pitted against a residential use in downtown Edmonds, the residential use would win. She explained the parking requirements for different uses could potentially create a situation where a developer could be forced to choose between adding residential in the rear and parking the structure minimally for a low impact commercial use in the front such as office rather than a restaurant that requires much higher parking ratios. Another consideration is commercial uses like to have space in the back on the alley to accommodate trash containers, etc. She noted egress could also be a potential issue. A further issue was the compatibility of a commercial use in front of residential as well as the cost to provide firewalls between the uses.

Councilmember Wilson spoke against the motion, expressing concern that the Comprehensive Plan seems to strive to make the downtown retail/commercial corridor inadequate for retail and commercial uses. He noted adding additional residential units further eliminates the potential for success in the downtown and creates non-compatible uses in those areas. There were significant standards and thus additional costs associated with designing a building to address the different needs of residential and commercial uses. He favored protecting the downtown commercial core and not diluting it via encouraging more residential uses to the point where residential uses outweighed commercial activity.

Councilmember Orvis and Councilmember Plunkett were agreeable to a friendly amendment suggested by Council President Marin to retain the language, “when the rear of a property adjoins a residentially designated property.”

Councilmember Orvis noted the most important word was “sufficient;” the Planning Board could determine the actual depth via development regulations.

Councilmember Plunkett expressed his support for the motion, acknowledging additional detail would be necessary to implement this amendment as well as several other amendments. He favored the amendment because it retained commercial space and the residential use provided a buffer for the residential behind. Most importantly, insofar as he was not interested in increasing building heights, he preferred the existing building shell have as much flexibility as possible. He supported providing the Planning Board the opportunity to do as much as possible within the existing shell.

Councilmember Olson referred to Ms. Gerend’s memo that pointed out building owners would be less likely to have lively uses such as restaurants, coffee houses, etc. in spaces with residential behind. She indicated she would vote against the amendment, agreeing with Councilmember Wilson that this would dilute the retail space

Councilmember Moore spoke against the amendment and although she supported allowing more residential, based on the input from Ms. Gerend, it would not be a wise mix at this time.

Councilmember Dawson expressed her continued opposition to ground floor residential in the BC zone. She did not support the current Comprehensive Plan language that allowed residential uses beyond 90 feet and indicated she would vote against this amendment and propose an amendment to eliminate ground floor residential completely in these zones.

Mayor Haakenson restated the motion as follows:

MOTION TO AMEND THE LANGUAGE “WHEN THE REAR OF A PROPERTY ADJOINS A RESIDENTIALLY-DESIGNATED PROPERTY, FLOOR AREA THAT IS BEYOND 90 FEET FROM THE COMMERCIAL STREET FRONTAGE CAN BE USED FOR RESIDENTIAL USE” TO “WHEN THE REAR OF A PROPERTY ADJOINS A RESIDENTIALLY-DESIGNATED PROPERTY, FLOOR AREA BEHIND COMMERCIAL CAN BE USED FOR RESIDENTIAL USE, PROVIDED THAT THE COMMERCIAL SPACE HAS SUFFICIENT DEPTH.”

VOTE ON THE PROPOSED AMENDMENT TO THE MAIN MOTION

UPON ROLL CALL, MOTION FAILED (3-4), COUNCIL PRESIDENT MARIN, AND COUNCILMEMBERS PLUNKETT AND ORVIS IN FAVOR; COUNCILMEMBERS MOORE, DAWSON, WILSON AND OLSON OPPOSED.

PROPOSED AMENDMENT TO THE MAIN MOTION

COUNCILMEMBER WILSON MOVED, SECONDED BY COUNCILMEMBER DAWSON, TO AMEND PAGE 36 UNDER DOWNTOWN MIXED COMMERCIAL, BY STRIKING THE SECOND TO LAST SENTENCE, “WHEN THE REAR OF THE PROPERTY ADJOINS RESIDENTIALLY DESIGNATED PROPERTY, FLOOR AREA THAT IS BEYOND 90 FEET FROM THE COMMERCIAL STREET FRONTAGE CAN BE USED FOR RESIDENTIAL USE.

Councilmember Moore found this would limit flexibility on lots where it may be appropriate. She supported having the option to have residential behind commercial.

Councilmember Plunkett found the motion too broad, preferring flexibility if building heights were not to be increased. He pointed out residential in appropriate places could be an enhancement and a buffer between commercial and residential.

Due to the need to further consider this issue, Councilmember Dawson expressed her support for the motion.

Councilmember Wilson questioned how residential uses could be buffered from commercial uses by placing a residential use immediately adjacent to a commercial use. He found placing residential uses adjacent to commercial problematic due to design, construction issues and incompatible use issues. He pointed out it was more appropriate to separate the uses via space between uses, not by placing residential abutting commercial space on the ground floor. He recalled numerous complaints about odors and noise from residents living adjacent to restaurants and preferred efforts to strengthen the retail/commercial core. If further study was warranted, he recommended it be done via economic analysis, studying the commercial viability of the downtown, and visioning for the future.

VOTE ON THE PROPOSED AMENDMENT TO THE MAIN MOTION

UPON ROLL CALL, MOTION FAILED (2-5), COUNCILMEMBERS WILSON AND DAWSON IN FAVOR, AND COUNCIL PRESIDENT MARIN, AND COUNCILMEMBERS ORVIS, MOORE, PLUNKETT, AND OLSON OPPOSED.

PROPOSED AMENDMENT TO THE MAIN MOTION

COUNCILMEMBER WILSON MOVED, SECONDED BY COUNCILMEMBER DAWSON, TO AMEND PAGE 37 UNDER DOWNTOWN CONVENIENCE COMMERCIAL CORE, BY STRIKING THE LAST SENTENCE.

VOTE ON THE PROPOSED AMENDMENT TO THE MAIN MOTION

UPON ROLL CALL, MOTION FAILED (2-5), COUNCILMEMBERS WILSON AND DAWSON IN FAVOR, AND COUNCIL PRESIDENT MARIN AND COUNCILMEMBERS ORVIS, MOORE, PLUNKETT, AND OLSON OPPOSED.

Councilmember Dawson observed the way this item was advertised includes a proposed new height limit of 33 feet in most downtown commercial areas to accommodate a new 12-foot first floor standard. She proposed the following motion based on the previously approved amendment that removed the 12-foot first floor ceiling height.

PROPOSED AMENDMENT TO THE MAIN MOTION

COUNCILMEMBER DAWSON MOVED, SECONDED BY COUNCILMEMBER PLUNKETT, TO AMEND THE PROPOSED COMPREHENSIVE PLAN TO REMOVE REFERENCE TO MAXIMUM 33 FEET AND RETURN TO THE 25 + 5 FEET FOR ROOF MODULATION AS PREVIOUSLY APPROVED BY THE COUNCIL.

Councilmember Wilson spoke against the motion due to concerns with incorporating specifics in the Comprehensive Plan. He preferred establishing policy in the Comprehensive Plan and using development regulations as the tool to implement the policy.

Council President Marin also spoke against the motion, although he agreed with removing the reference to a maximum 33 foot building height. He advised of a letter he sent to the Architectural Design Board asking the Board to discuss Design Guidelines and bring the City Council any recommended amendments

on May 24. He noted that would be an appropriate time for the Council to discuss the issue of 33 foot building heights and make a final decision. He concluded he would support a motion to remove reference to the 33 foot maximum building height.

Councilmember Dawson pointed out there was a reason the Planning Board put the proposed 33 foot maximum height in the Comprehensive Plan; everyone is talking about it and at some point the Council must make a decision regarding heights. She agreed the Comprehensive Plan was a policy document and building heights, whether 25 or 33 feet, was a policy decision. She preferred the Council take a vote on the issue rather than continuing to vision.

Councilmember Moore did not support returning to the height limit of 25 + 5 feet, recalling the Planning Board's efforts to resolve a problem and their solution was 33 feet with a 12-foot minimum first floor. She agreed with Councilmember Wilson's comment about the inappropriateness of including specific heights in the Comprehensive Plan. She explained after last week's Council meeting she learned the reason the Planning Board included this specificity was that a previous Council told them when the Planning Board presented Design Guidelines that they did not want the Planning Board to consider how height of buildings were measured on the lot, they wanted to retain the measurement of the average of four corners. Operating under that restriction, the Planning Board then assumed they needed to solve the problem based on a height limit which resulted in their recommendation regarding a first floor height followed by a maximum building height to accommodate that first floor height. She recognized the Planning Board's sincere effort to include specificity because they did not think the Council would accept having it addressed via Design Guidelines because of a previous Council's direction.

Councilmember Moore agreed with Councilmember Wilson that the Comprehensive Plan was not the appropriate place for specifics with regard to height and it was more appropriate addressed via Design Guidelines. She pointed out the Council had been postponing Design Guidelines for a long time and it was time to address them. If the desire was a quaint atmosphere, the Council needed to decide and define quaintness. She indicated her plans to vote against the motion as she found it inappropriate to include specificity with regard to heights in the Comprehensive Plan.

Councilmember Plunkett supported the proposed motion, commenting the Council could continue to discuss Design Guidelines and vision for the next 12 months, but the bottom line was "we have an elephant in the room and sooner or later we have to chase it out of here either now or in 12 months." He noted even if the Council continued to vision and developed Design Guidelines, the Council would still need to make a decision regarding a maximum building height. He concluded that the Council, as policy makers, had a duty and obligation to deal with the issue in a timely manner via making a decision. He indicated his plans to support the proposed amendment.

Councilmember Olson recalled testimony at the public hearing recommended the City first develop Design Guidelines because that would determine building heights. She planned to vote against the motion.

VOTE ON THE PROPOSED AMENDMENT TO THE MAIN MOTION

UPON ROLL CALL, MOTION FAILED (3-4), COUNCILMEMBERS PLUNKETT, DAWSON, AND ORVIS IN FAVOR; COUNCIL PRESIDENT MARIN AND COUNCILMEMBERS WILSON, MOORE AND OLSON OPPOSED.

PROPOSED AMENDMENT TO THE MAIN MOTION

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER MOORE, TO STRIKE REFERENCE TO 33 FEET IN ALL DISTRICTS IN DOWNTOWN.

Councilmember Dawson inquired whether the intent of the motion was to strike all reference to height throughout including the Planned Residential-Office or just the 33-foot height restriction. Council President Marin answered all the height restrictions in the proposed districts.

Councilmember Dawson supported the motion as she found no height restrictions better than 33 feet and intended to propose an amendment that provided more direction for those areas.

Councilmember Moore clarified Council President Marin was suggesting all references to the 33-foot height be eliminated but the other zones without 33 feet would remain as they are proposed. Council President Marin answered his intent was to remove all reference to the heights specified in the new districts, effectively returning to the 25 + 5 height limit downtown. Councilmember Moore disagreed, pointing out the result would be no height limit. Council President Marin assured that was not his intent.

Mr. Snyder suggested if the motion passed, the Council make another motion to ensure consistency between the Comprehensive Plan and development regulations. If the Council wanted the policy to remain the same, he suggested that motion be made at some point. Council President Marin suggested adding that to his motion.

Councilmember Orvis noted the current Comprehensive Plan has language such as generally two stories and there are no numbers. Therefore, the previous Comprehensive Plan left it to the Council to determine what constituted two stories. If all the references to 33-feet were struck, the proposed Comprehensive Plan would basically be the same as the existing Comprehensive Plan. Mr. Snyder suggested the Council create a clear record regarding their intent if the motion was to remove something that was developed via a lengthy discussion at the Planning Board.

Mr. Chave advised the language in the existing Comprehensive Plan refers to general appearance of two story, but that did not mean one or three story buildings were not allowed, only that the general overall appearance was two stories. He emphasized the existing language did not mandate a particular number of stories nor did it mandate a particular height. He noted the Council would likely need to revisit the interim ordinances that addressed height, design, etc.

Council President Marin clarified he was proposing to retain the new districts, noting the specificity regarding the first floor ceiling heights had already been removed, and his suggestion was to remove the 33-foot option provided in some districts. Mr. Chave suggested a way to provide a range would be to tie it to pedestrian scale. He recalled the Planning Board reviewed information related to street width and building heights and a portion of their recommendation was associated with that information.

COUNCILMEMBER MOORE WITHDREW HER SECOND AND COUNCIL PRESIDENT MARIN WITHDREW HIS MOTION.

With respect to height, Councilmember Wilson proposed in the Shoreline Commercial, Fountain Square, Art Center Corridor, Downtown Mixed Commercial and Downtown Convenience Commercial designations, considering heights established from the pedestrian corridors on 5th Avenue and Main Street as having the general appearance of two stories, allowing via incentives programs such as increased setbacks, additional public amenities, portions of the structure can have taller heights limits not to exceed three stories. He was hopeful that via development regulations, establishment of floor area ratios or other mechanisms would limit the footprint of a potential third story. He explained the intent was to ensure the design of downtown buildings reflected pedestrian scale so that when pedestrians walked along the street and the street frontage as it faced 5th and Main, buildings provided pedestrian scale that was two stories in character and design.

Councilmember Wilson continued a two story appearance would allow a three story structure to be housed within that space, the intent was design characteristics on the exterior of the building and how it related to pedestrian compatibility, scale and mass of the building so that the appearance was the same as the general character that currently exists. He noted this would address the range of building sizes from one story to three stories. He concluded that was the bulk of the public testimony – retaining the character of existing buildings. This would not preclude three floors of interior space but the exterior of the building would reflect two stories and pedestrian compatibility.

PROPOSED AMENDMENT TO THE MAIN MOTION

COUNCILMEMBER WILSON MOVED, SECONDED BY COUNCILMEMBER MOORE, THAT BUILDING HEIGHTS WOULD BE PEDESTRIAN IN SCALE AND SHOULD BE GENERALLY TWO STORIES IN APPEARANCE AS VIEWED FROM 5TH AVENUE AND MAIN STREET, PROVIDING FOR INCENTIVES TO ALLOW PORTIONS OF THE BUILDING TO EXCEED TWO STORIES AND NOT TO EXCEED THREE STORIES BASED ON AMENITIES SUCH AS INCREASED SETBACKS, SIDEWALKS OR OTHER INCREASED PUBLIC AMENITY AREAS.

Councilmember Orvis spoke against the motion, although he was intrigued. He expressed willingness to wait a week to allow Councilmember Wilson to provide data and examples of what he meant. Councilmember Orvis preferred height limits as a way to protect downtown because they were not vague and were very defined.

Councilmember Plunkett did not support the motion, not because it might not have merit, but because this very important issue was being addressed by an off-the-cuff amendment with a number of clauses. He expressed concern this amendment had not been presented to the Council in writing and he was unable to conclude the exact intent from the wording in the amendment. He expressed willingness to consider the amendment in written form next week, emphasizing an issue this vital should not be addressed via an off-the-cuff amendment.

Councilmember Dawson emphasized the need for a specific number at some point, noting she could support removing a specific number for height from the Comprehensive Plan if sufficient direction were provided such as the language in the existing Comprehensive Plan regarding Main Street America feel with generally one and two story buildings. She did not see the harm in retaining a number in the Comprehensive Plan because that was something everyone could understand. She was amenable to considering this issue next week with further explanation but was unable to support the amendment at this time.

Councilmember Moore commented that height limits were the wrong way to define what the Council wanted because ugly buildings could be any height. The way to define buildings was via design and Design Guidelines. She noted roof modulation did not have the desired result; there were still ugly buildings with modulated roofs. She emphasized only design could define what the Council wanted and height had nothing to do with it. She pointed out if the former historic Bishop Hotel were replicated, it would provide a wonderful piece of history but would be 40-45 feet tall. She supported moving quickly to developing Design Guidelines.

Councilmember Wilson stated the Comprehensive Plan, as a policy document, should not have specific heights. If the intent was buildings that were of pedestrian scale, it would be up to the Planning Board to define what that meant via Design Guidelines.

Councilmember Wilson agreed with an earlier suggestion by Councilmember Moore to hold design charettes to develop building design concepts. He referred to an article in the *Snohomish County Business Journal* that showed an old building in downtown Everett with an interesting, 2-story façade but four

stories inside. He emphasized the need to consider how the exterior of the building met the character of the downtown and not how the interior of the space was used other than ensuring viable, usable commercial space on the ground floor. He concluded consideration should be limited to how the exterior of the building fit with the character of the City and that could not be done via prescribing an artificial number, it must be done via specific design criteria and developing a vision for the downtown.

Councilmember Olson found Councilmember Wilson's argument intriguing, noting if the height limit were 33-feet, every building would be built to 33 feet. The downtown currently had one, two and three story buildings and that was what made it interesting. She expressed her support for the amendment.

Council President Marin was also intrigued by Councilmember Wilson's amendment; however, he preferred staff and the Council have an opportunity to see it in writing. He suggested considering this issue at the March 15 Council meeting.

Mayor Haakenson asked staff to comment on the time constraints associated with adopting the Comprehensive Plan. Mr. Snyder explained by statute this Comprehensive Plan was to have been adopted by December 1, 2004. He noted most cities exceed that deadline and the City provided a letter to CTED indicating the City was in the process. He recalled in order to be eligible for Public Works Trust Fund moneys, the City must have the Comprehensive Plan adopted by May 9, 2005. He interpreted the motion to be for staff to draft an amendment and include it in the packet when the Council voted on the ordinance adopting the Comprehensive Plan amendments in two weeks. He suggested returning at the next Council meeting with Councilmember Wilson's wording as well as other alternative language. Regardless of whether the Council retained the 25 + 5 feet or provided flexibility to go higher, he emphasized there was a lot of work to be done on development regulations.

Councilmember Orvis suggested this was an important enough issue to hold a Council meeting on the Council Committee Meeting date of March 8.

Councilmember Dawson asked for clarification regarding Councilmember Wilson's language, "as viewed from 5th Avenue and Main Street." She commented the Council wanted to have good design and shorter buildings, noting it was possible to accommodate both via good architectural design guidelines. She stressed at some point the Council must adopt an ordinance establishing a height restriction because right now the City has a building moratorium due to the lack of an enforceable height restriction in downtown.

Mr. Snyder suggested staff bring back a written amendment to pages 35 and 37 of the Comprehensive Plan to address 2-story structures in design, character and appearance when viewed from the pedestrian corridors, taller heights could be available via incentives such as public amenity areas provided that the interior space not exceed three stories and encourage building heights that are pedestrian in scale.

For Councilmember Moore, Mr. Snyder explained development regulations and Design Guidelines would follow. He noted issues such as story and height could be addressed via the development regulations or the Council could provide specific direction tonight.

Council President Marin suggested Councilmember Wilson change the reference to three stories to not to exceed 33 feet. Councilmember Wilson was not agreeable to this change.

COUNCILMEMBER DAWSON MOVED, SECONDED BY COUNCILMEMBER PLUNKETT, TO TABLE THIS MATTER.

UPON ROLL CALL, MOTION FAILED (3-4), COUNCILMEMBER ORVIS, DAWSON, AND PLUNKETT IN FAVOR; COUNCIL PRESIDENT MARIN, AND COUNCILMEMBERS WILSON, MOORE AND OLSON OPPOSED.

Mr. Snyder suggested staff return with wording for an amendment that addresses the language on pages 35 and 37 of the Comprehensive Plan to address: structures in the downtown area 2-stories in design, character and appearance when viewed from the pedestrian corridors, taller heights would be permitted, assuming above 25 feet, via incentives such as public amenity areas not to exceed three stories and building heights are to be pedestrian in scale. Mayor Haakenson advised the Council could then select between the 33-foot height language and Councilmember Wilson's proposed amendment.

Councilmember Moore commented the language seemed vague and open to wide interpretation. She questioned when the Council would provide specific direction to the Planning Board and Architectural Design Board. Councilmember Wilson answered the Council must adopt development regulations which would define height limits, pedestrian scale, elements of the building exterior, etc.

Councilmember Moore asked Mr. Chave his perspective regarding removing the height-specific language from the Comprehensive Plan. Mr. Chave agreed heights numbers were not typically in a plan document, that was typically addressed in the development regulations. He explained the Planning Board was attempting to address a specific number for first floor height and as a result needed to discuss higher building heights. He concluded Councilmember Wilson's motion was consistent with what the Planning Board had considered.

Councilmember Dawson pointed out the motion did not remove the number and suggested if that was the intent, it should be clarified. Her understanding was the motion would add the language suggested by Councilmember Wilson but leave in the language regarding 33 feet. Councilmember Wilson advised his intent was for the language in his motion to replace the language referencing 33 feet.

Councilmember Wilson supported continuing this item for further discussion next week and he would work with staff on specific language and other Councilmembers could develop alternate language. He concluded adoption would remain on schedule as long as the final Comprehensive Plan was adopted by March 15.

Council President Marin scheduled this item for a meeting of the full Council following Committee meetings on March 8.

COUNCILMEMBER WILSON WITHDREW HIS MOTION.

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER WILSON, TO CONTINUE DELIBERATION TO THE MARCH 8 MEETING. MOTION CARRIED UNANIMOUSLY.

7. AUDIENCE COMMENTS

Building
Height

Roger Hertrich, 1020 Puget Drive, Edmonds, pointed out the difference between what Councilmembers said and what they did, referring to Councilmember Wilson's suggestion that there should not be dimensions in the code, yet he voted in favor of specific dimensions for the Sunset parcel. He referred to Councilmember Moore's emphasis on design, yet she added another five feet to the Planning Board's recommendation. He noted the Planning Board made their recommendation to change the zoning and establish a limit of 25 feet to ensure the development on that site was compatible with the residential neighborhood, adding another five feet eliminated that compatibility. He recommended the Council reconsider the motion with regard to the Sunset Avenue property and allow the Planning Board to determine the appropriate height. He recalled it was suggested to the Planning Board that a certain height on that property would make it compatible; the public then commented on that proposal which did

not include an additional five feet. He recalled the neighborhood expressed concern with compatibility if a new method of measuring building height were established, and the Planning Board retained the existing method of calculating building heights. He summarized Councilmember Moore and Council President Marin were definite in their desire to retain 33 feet in the Comprehensive Plan. Although he gave them credit for sticking to their guns, he did not recommend that be the final result of the Comprehensive Plan. He recognized the remaining Councilmembers for considering the public comment although he was uncertain whether Councilmember Wilson supported 33 or 25 foot building heights.

Building
Height

John Bissell, 1721 Hewitt, Everett, clarified that the Planning Board had discussed 25+5 feet when they discussed methods of calculating the height. He noted what was in the original staff presentation to the Planning Board was 25 feet above the average curb elevation, the same as Councilmember Moore's amendment. He agreed this area was different, unique and special with a grade separation between the street and the railroad of between 15 and 20 feet. The motion that was made and approved did not change the residential character as the building would be constructed at 25 feet above the curb elevation.

Heartland
Report;
Building
Costs

Dave Page, 1233 Olympic View Drive, Edmonds, apologized for information he provided that was incorrect and distributed reports from two multiple listing services that indicated the property was sold. He pointed out a flaw in the Heartland report with regard to the property they used to support their assertion that a developer could not make a profit two stories. The cost of the land was \$80 per square foot or \$1.6 million. He noted the actual cost of the project he cited was \$850,000. He summarized if the correct numbers were used, a two story building could be profitable.

Shops and
Storefronts at
Street Level

Darrell Marmion, 750 Edmonds Street, Edmonds, referred to page 49 of the 2003 Comprehensive Plan regarding shops and storefronts at street level which the existing code implements via the first floor being the closest to average grade. He noted this yielded buildings with retail/office space as much as 4½ feet below grade. The proposed Comprehensive Plan has language regarding entries situated at street level, which he found less restrictive than the existing Comprehensive Plan. If the existing language states shops and storefronts at street level and it resulted in buildings 4½ feet below grade, he recommended including stronger language in the Comprehensive Plan.

Heartland
Study;
Building
Costs

Bob Gregg, 16550 76th Avenue W, Edmonds, agreed with Mr. Page that it was important to get to the bottom of the numbers. He noted the Heartland Study included numerous examples of costs to develop two and three stories, retail, office, residential, apartments and condominium. He advised he had submitted to the Council actual costs to build MacGregor Place. In answer to what would be the result of a limit of two stories and a 25-foot height limit, he predicted it would be the same as had occurred over the last ten years on Main Street – it had been approximately ten years since the last building was constructed. He welcomed the opportunity for Mr. Page and he to reconcile the numbers. He urged the Council to look at the economics and recognize that two stories did not work; if buildings were limited to two stories, it would be another ten years before development occurred. Mayor Haakenson suggested Mr. Page and Mr. Gregg compile their findings.

Building
Height
(Sunset Ave.
Property)

Edmund Lee, 110 James Street, Edmonds, asked for clarification regarding the Sunset Avenue property; his understanding was that the property could be developed with 25 + 5 feet above the average grade. Mayor Haakenson clarified the language was 25 + 5 feet for roof modulation above the average street/sidewalk level. Mr. Lee advised they do not need the additional five feet, only 25-feet above the average sidewalk level. He explained from the street, the building will be a 2-story structure and with the measurement of 25-feet above the average sidewalk level, it would be even or possibly one foot higher than the neighboring property.

Building
Height and
Costs

Mathew Brennan, property owner at 207 5th Avenue NE, Edmonds, concurred with Mr. Gregg, explaining the project they were attempting to build would cost more than \$100 per square foot. He

supported heights at or above 30 feet. He compared the City to a teenager, pointing out it was time to grow up.

Vision for
Downtown to
Draw People
to Downtown

Joan Bloom, 600 8th Avenue N, Edmonds, referred to projected development of retail with two floors of residential above, commenting it was not increased retail that brought people to Edmonds; without other draws, the retail could not be sustained. She urged the Council to consider when visioning that there were developers who have made profitable third place concepts that are one story high such as Crossroads Mall and Third Place Books, vital energetic places that draw people of all ages. She urged the Council to look outside the box of one story of retail and two stories of residential, and consider what the community wants and what will draw people to the community. She found what drew people were places to gather, eat and play. She concluded the Arts Festival and Taste of Edmonds drew people, not because there were a lot of things to buy, but because people were gathering together and things to do.

Property
Assessments;
Building
Costs

Ron Wambolt, 530 Dayton, Edmonds, asserted the \$80 per square foot land cost was inflated based on his research of property assessments in Snohomish County. He estimated Snohomish County assessments were approximately 20% below market value. His research indicated all property in the BC zone was assessed at \$50 per square foot including in Fountain Square, adding 20% brought the price to \$60 per square foot, still less than \$80 per square foot. With regard to Mr. Gregg's assertion that one and two stories were not profitable, he cited recent purchases and renovations of 1-story buildings downtown.

Public
Participation
Process

Don Kreiman, 24006 95th Place W, Edmonds, suggested the Council consider Al Dykes' testimony in which he quoted the price of property he sold in the downtown area. He apologized for his harshness last week, explaining he had a great deal of respect for the Planning Board's process. He explained public participation really happened this time, everyone had an opportunity to testify, and he urged the Council to respect that public participation and respect the work of the Planning Board.

8. MAYOR'S COMMENTS

Mayor Haakenson had no report.

9. COUNCIL COMMENTS

Community
Transit

Council President Marin explained the Council recognized the Planning Board had done a terrific job, undertaking a long and laborious process that included serious debate. Next, he reported Community Transit received an award from Puget Sound Clean Air Agency acknowledging their efforts to install particulate filters on all buses and their commitment to using ultra-low sulfur diesel fuel. He noted Community Transit businesses produced markedly less pollution.

Port District

Councilmember Orvis reported on the Port of Edmonds meeting, thanking Administrative Services Director Stephen Clifton for providing an update on Sound Transit and addressing issues associated with the second track which may shift slightly to the west. He also thanked Fire Chief Tom Tomberg for making a presentation on the fire-rescue boat to be berthed at the Port of Edmonds that was purchased via a \$200,000 Homeland Security grant administered by Snohomish County Department of Emergency Management.

Building
Height –
Sunset Ave.

Councilmember Wilson expressed his appreciation to Mr. Hertrich for his comments regarding inconsistency. Councilmember Moore was agreeable to Councilmember Wilson's suggestion to reconsider the motion regarding Sunset Avenue. Mayor Haakenson suggested removing the additional 5 feet for modulation.

Community
College
Meeting

Councilmember Moore reported on a 3-day Community College meeting she attended in Olympia. She reported one of the key things they were told was a person with a high school diploma plus a 2-year community college education or a 4-year degree could expect on average to receive more than double their salary. She also reported that every dollar invested in education, pays \$9.50 in future salaries.

Comprehensive
Plan

Councilmember Moore observed the staff, Planning Board, Chamber of Commerce, the majority of people who testified at the Council public hearing, and two newspaper editorial boards believed the proposed Comprehensive Plan was the right plan for the City at this time. She complimented the hardworking staff and Planning Board for their efforts. She assured the Council would complete their review of the Comprehensive Plan and produce good Design Guidelines to create a city everyone could be proud of.

Public
Information

Councilmember Plunkett commented on an email he received where the author stated they wrote a personal letter to the Council that was not meant for public consumption. He cautioned the public there was no such thing as a personal letter to the Council; any email message or letter to the Council was public information.

Building
Height –
Sunset Ave.

Councilmember Dawson supported the Council reconsidering the vote regarding the Sunset property, first because it was not consistent to say specific heights should not be included in the Comprehensive Plan and specify 25 + 5 feet for one parcel. She commended Mr. Hertrich for catching this and expressed concern that four other Councilmembers had not caught the fact that what was approved was five feet more than the applicant was requesting. She found this very troubling, pointing out it revealed the importance of reigning in taller buildings. She expressed her concern with a height 30 feet above the sidewalk on that parcel and a new method of measuring the height in the BC zone.

With no further business, the Council meeting was adjourned at 9:45 p.m.